

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 12/12/2002 10:31:21 ET

Serial Number: 73818383

Registration Number: 1750932

Mark

THE CONDITIONER

(words only): PAUL MITCHELL THE CONDITIONER

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 1998-07-03

Filing Date: 1989-08-11

Registration Date: 1993-02-09

Law Office Assigned: TMEO Law Office 11

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 1998-09-03

CURRENT APPLICANT(S)/OWNER(S)

1. JOHN PAUL MITCHELL SYSTEMS

Address:

JOHN PAUL MITCHELL SYSTEMS

P.O. BOX 10597

BEVERLY HILLS, CA 902133597

United States

State or Country of Incorporation: California

Legal Entity Type: Corporation

SHC 3009

GOODS AND/OR SERVICES

NON-MEDICATED HAIR AND SKIN CARE CONDITIONER FOR DETANGLING HAIR, MOISTURIZING HAIR, TREATING SCALP AND SKIN, THERMAL CONTROL DURING WAVING AND DRYING, SHAVING LOTION, SKIN MASSAGE AND SKIN PROTEIN ADDITIVE

International Class: 003

First Use Date: 19800201

First Use in Commerce Date: 19800201

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "CONDITIONER"

Name Portrait Consent: "PAUL MITCHELL" does not not refer to a living individual.

Prior Registration Number(s):

1242495

1247496

PROSECUTION HISTORY

1998-07-03 - Section 8 (6-year) accepted & Section 15 acknowledged

1998-04-10 - Section 8 (6-year) and Section 15 Filed

1993-09-20 - Reprinting registration certificate

1993-04-26 - Section 7 amendment filed

1993-02-09 - Registered - Principal Register

1992-11-17 - Published for opposition

1992-10-16 - Notice of publication

1992-05-28 - Approved for Pub - Principal Register (Initial exam)

1992-05-12 - Examiner's amendment mailed

1992-02-10 - Communication received from applicant

1991-09-30 - Non-final action mailed

1991-04-01 - Jurisdiction restored to examiner

1990-08-10 - Final refusal mailed

SHC 3010

Latest Status Info

Page 3 of 3

1990-05-07 - Communication received from applicant

1989-11-03 - Non-final action mailed

CONTACT INFORMATION

Correspondent (Owner)

DONALD J FITZPATRICK (Attorney of record)

DONALD J FITZPATRICK
PEPER MARTIN JENSEN MAICHEL AND HETLEAGE
720 OLIVE ST 24TH FL
ST LOUIS MO 63101-2396
United States

SHC 3011



UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Electronic Search System (TESS)

TESS was last updated on Thu Dec 12 04:10:42 EST 2002

[PTO HOME](#) [TRADEMARK](#) [TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [BOTTOM](#) [HELP](#)


Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

Check Status

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

NEXXUS

Word Mark NEXXUS
Goods and Services IC 005. US 018. G & S: VITAMINS AND DIETARY FOOD SUPPLEMENTS.
 FIRST USE: 19791200. FIRST USE IN COMMERCE: 19791200

IC 003. US 051 052. G & S: HAIR SHAMPOO, HAIR CONDITIONERS, HAIR SPRAYS, HAIR DYE SOLUTIONS AND NEUTRALIZING PREPARATIONS FOR USE IN PERMANENT HAIR WAVING, SKIN CLEANING PREPARATIONS, AND SKIN CONDITIONERS. FIRST USE: 19791200. FIRST USE IN COMMERCE: 19791200

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM**Serial Number** 73263568**Filing Date** May 27, 1980**Published for Opposition** July 30, 1985**Registration Number** 1376635**Registration Date** December 31, 1985**Owner**(REGISTRANT) NEXXUS PRODUCTS COMPANY CORPORATION
 CALIFORNIA 618 EAST GUTIERREZ STREET SANTA BARBARA

CALIFORNIA 93103

**Attorney of
Record** JOHN R. RYDELL, II**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead
Indicator** LIVE

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	TOP	HELP
--------------------------	---------------------------	---------------------------	--------------------------	----------------------------	---------------------------	-----------------------------	---------------------	----------------------

SHC 3013

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 12/12/2002 10:32:08 ET

Serial Number: 73263568

Registration Number: 1376635

Mark

The logo for NEXXUS, featuring the word "NEXXUS" in a bold, sans-serif font. The letter "X" is stylized with a large, white, three-dimensional "X" shape superimposed over it, creating a layered effect.

(words only): NEXXUS

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 1992-01-02

Filing Date: 1980-05-27

Registration Date: 1985-12-31

Law Office Assigned: TMEQ Law Office # 2

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov.

Current Location: 900 -Warehouse (Newington)

Date In Location: 1992-01-13

CURRENT APPLICANT(S)/OWNER(S)

1. NEXXUS PRODUCTS COMPANY

Address:

NEXXUS PRODUCTS COMPANY

618 EAST GUTIERREZ STREET

SANTA BARBARA, CA 93103

United States

State or Country of Incorporation: California

Legal Entity Type: Corporation

SHC 3014

<http://tarr.uspto.gov/servlet/tarr?regser=serial&entry=73263568>

12/12/2002

14-88

GOODS AND/OR SERVICES

HAIR SHAMPOO, HAIR CONDITIONERS, HAIR SPRAYS, HAIR DYE SOLUTIONS AND
NEUTRALIZING PREPARATIONS FOR USE IN PERMANENT HAIR WAVING, SKIN
CLEANING PREPARATIONS, AND SKIN CONDITIONERS

International Class: 003

First Use Date: 19791200

First Use in Commerce Date: 19791200

Basis: 1(a)

VITAMINS AND DIETARY FOOD SUPPLEMENTS

International Class: 005

First Use Date: 19791200

First Use in Commerce Date: 19791200

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

1992-01-02 - Section 8 (6-year) accepted & Section 15 acknowledged

1991-07-24 - Post Registration action mailed Section 8 & 15

1991-03-04 - Section 8 (6-year) and Section 15 Filed

1985-12-31 - Registered - Principal Register

1985-07-30 - Published for opposition

1985-07-01 - Notice of publication

1985-04-30 - Approved for Pub - Principal Register (Initial exam)

1985-04-18 - Ex parte appeal dismissed as moot

1983-07-06 - Ex parte appeal - Instituted

1981-08-14 - Non-final action mailed

1981-06-09 - Case file assigned to examining attorney

1980-10-27 - Case file assigned to examining attorney

CONTACT INFORMATION

SHC 3015

14-89

Correspondent (Owner)

JOHN R. RYDELL, II (Attorney of record)

GRIFFITH AND THORNBURGH

P.O. DRAWER A

SANTA BARBARA, CALIFORNIA 93102-0009

United States

SHC 3016




UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Electronic Search System (TESS)

TESS was last updated on Thu Dec 12 04:10:42 EST 2002

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE/DICT	BOTTOM	HELP	PREV LIST
CURR LIST	NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC				

 Please logout when you are done to release system resources allocated for you.

 List At: OR  to record: Record 10 out of 11

 (TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark REDKEN
Goods and Services IC 003. US 051. G & S: HAIR CONDITIONERS, WAVE SETS, HAIR SPRAYS, PERMANENT WAVE LOTIONS, HAIR LIGHTENERS, HAND LOTIONS, AND FACE AND SKIN CREAMS, FIRST USE: 19600000. FIRST USE IN COMMERCE: 19600000
IC 003. US 052. G & S: HAIR SHAMPOOS AND WOMEN'S BEAUTY SOAP. FIRST USE: 19600000. FIRST USE IN COMMERCE: 19600000
Mark Drawing Code (1) TYPED DRAWING
Serial Number 72412601
Filing Date January 14, 1972
Registration Number 0971521
Registration Date October 23, 1973
Owner (REGISTRANT) REDKEN LABORATORIES, INC. CORPORATION CALIFORNIA 14721 CALIFA ST. VAN NUYS CALIFORNIA 91401
(LAST LISTED OWNER) REDKEN LABORATORIES, INC. CORPORATION BY MERGER WITH DELAWARE 6625 VARIEL AVENUE CANOGA PARK CALIFORNIA 91309
Assignment Recorded ASSIGNMENT RECORDED

SHC 3017

Prior Registrations 0915199
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Renewal 1ST RENEWAL 19931222
Live/Dead Indicator LIVE

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DOC	TOP	HELP	PREV LIST
CURR LIST	NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC				

SHC 3018

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 12/12/2002 10:35:06 ET

Serial Number: 72412601

Registration Number: 971521

Mark (words only): REDKEN

Current Status: This registration has been renewed.

Date of Status: 1993-12-22

Filing Date: 1972-01-14

Registration Date: 1973-10-23

Law Office Assigned: Unknown

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 - Warehouse (Newington)

Date In Location: 1994-02-08

CURRENT APPLICANT(S)/OWNER(S)

1. REDKEN LABORATORIES, INC.

Address:

REDKEN LABORATORIES, INC.

6625 VARIEL AVENUE

CANOGA PARK, CA 91309

United States

State or Country of Incorporation: Delaware

Legal Entity Type: Corporation

GOODS AND/OR SERVICES

HAIR CONDITIONERS, WAVE SETS, HAIR SPRAYS, PERMANENT WAVE LOTIONS, HAIR LIGHTENERS, HAND LOTIONS, AND FACE AND SKIN CREAMS

U.S. Class: 051 (International Class 003)

First Use Date: 19600000

First Use in Commerce Date: 19600000

Basis: 1(a)

SHC 3019

<http://tarr.uspto.gov/servlet/tarr?regser=serial&entry=72412601>

12/12/2002

14-93

HAIR SHAMPOOS AND WOMEN'S BEAUTY SOAP
U.S. Class: 052 (International Class 003)
First Use Date: 19600000
First Use in Commerce Date: 19600000

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):
915199

PROSECUTION HISTORY

1993-12-22 - Registration renewed - 10 year
1993-10-14 - Response received for Post Registration action
1993-09-01 - Post Registration action mailed - Section 9
1993-07-19 - Section 9 filed/check record for Section 8
1980-01-28 - Section 8 (6-year) accepted & Section 15 acknowledged

CONTACT INFORMATION

Correspondent (Owner)
KURT B. BLOEDEL
REDKEN LABORATORIES, INC.
6625 VARIEL AVENUE
CANOGA PARK, CA 91309
United States

SHC 3020

UNITED STATES DEPARTMENT OF
COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: December 20, 2002

Opposition No 91153992
Serial No. 76403550

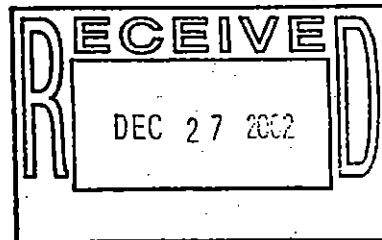
JAMES M. DURLACHER
WOODARD, EMHARDT, NAUGHTON, MORIARTY ET
BANK ONE CENTER/TOWER 111 MONUMENT CIRCLE, SUITE 3700
INDIANAPOLIS, IN 46204-5137

Sexy Hair Concepts, LLC

v.

Australian Gold, Inc.

ROBERTA JACOBS-MEADWAY
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
1735 MARKET STREET, 51ST FLOOR
PHILADELPHIA, PA 19103-7599



Millicent Canady, Legal Assistant

A notice of opposition to the registration sought in the above-identified application has been filed. A copy of the notice is attached.

ANSWER IS DUE FORTY DAYS after the mailing date hereof.
(See Patent and Trademark Rule 1.7 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that became effective October 9, 1998. See Notice of Final Rulemaking published in the *Official Gazette* on September 29, 1998 at 1214 TMOG 145. Slight corrections to the rules, resulting in a correction notice, were published in

SHC 3021

14-95

the *Official Gazette* on October 20, 1998 at 1215 TMOG 64. A copy of the recent amendments to the Trademark Rules, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), is available at <http://www.uspto.gov>.

Discovery and testimony periods are set as follows:

Discovery period to open: January 09, 2003

Discovery period to close: July 08, 2003

30-day testimony period for party
in position of plaintiff to close: October 06, 2003

30-day testimony period for party
in position of defendant to close: December 05, 2003

15-day rebuttal testimony period
for plaintiff to close: January 19, 2004

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). A hard copy of the *Official Gazette* containing this notice is available for a fee from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Telephone (202) 512-1800). The notice is also available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

SHC 3023

14-97

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

dmd/dab

Mailed: May 29, 2003

Opposition No. 91153992

Sexy Hair Concepts, LLC

v.

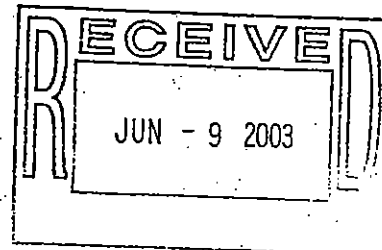
Australian Gold, Inc.

On March 22, 2003, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

*By the Trademark Trial
and Appeal Board*



SHC 3024

14-98

LAW OFFICES

BALLARD SPAHR ANDREWS & INGERSOLL, LLP

1735 MARKET STREET, 51st FLOOR
PHILADELPHIA, PENNSYLVANIA 19103-7599
215-865-8500
FAX: 215-864-8999
WWW.BALLARDSPAHR.COM

BALTIMORE, MD
DENVER, CO
SALT LAKE CITY, UT
VOORHEES, NJ
WASHINGTON, DC
WILMINGTON, DE

ROBERTA JACOBS-MEADWAY
DIRECT DIAL: 215-864-8201
PERSONAL FAX: 215-864-8950
JACOBSMEADWAYR@BALLARDSPAHR.COM

June 17, 2003

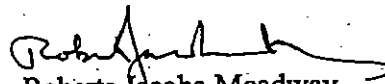
James M. Durlacher, Esquire
Woodard, Emhardt, Naughton, Moriarty
Bank One Center
Tower 111 Monument Circle
Suite 3700
Indianapolis, IN 46204-5137

Re: **Sexy Hair Concepts v. Australian Gold, Inc. ("SEXY THING")**
Our File: 080492

Dear Mr. Durlacher:

This has reference to the decision of the Trademark Trial and Appeal Board sustaining Opposition No. 91153992 to your client's application for "SEXY THING". We note that your client's application was filed based on Intent to Use. We trust that your client has decided against proceeding with use of this mark. However, please note that if the mark is used in the United States, our client reserves its rights to take further action to prevent such use.

Sincerely,


Roberta Jacobs-Meadway

RJ/af
cc: Mr. Mark Stiller